

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

TOMAS DUEÑO ESPADA
MECEDES LUGO RODRIGUEZ

DEBTOR (S)

CASE NO.: 16-00470-ESL

CHAPTER 13

MOTION AMENDING SCHEDULES I & J

TO THE HONORABLE COURT:

COME NOW debtors through the undersigned attorney and very respectfully state and pray as follows:

- 1) Schedules I & J need to be amended to update current information.
- 2) Schedules I & J are hereby amended and filed.

WHEREFORE debtors respectfully pray from this Honorable Court to allow the amended Schedules I & J in substitution of the ones previously filed.

NOTICE TO CREDITORS AND PARTIES IN INTEREST

Notice is hereby given that a Motion Amending Schedules I & J has been filed by Debtor.

Within FOURTEEN (14) DAYS AFTER SERVICE as evidenced by the certification, and an additional three (3) days pursuant Fed. R. Bank P. (9006) (f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief or remedy sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the objection will be deemed unopposed and may be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the Court, the interest of justice requires otherwise. If you file a timely response, the court may in its discretion schedule a hearing.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this same date of filing a copy of this motion has been forwarded to every creditor in the master list address that do not have electronic filing records and for those who have the notification has been made by means of the CM/ECF System, including the Chapter 13 Trustee and the U.S. Trustee for the District of Puerto Rico.

In Carolina Puerto Rico on May 14, 2016.

MORENO & SOLTERO, LLC
/s/ROSANA MORENO RODRIGUEZ
ATTORNEY FOR DEBTOR
USDC #221903
P.O. BOX 679
TRUJILLO ALTO, PR 00977
PHONE: (787) 750-8160 / 8166 / (787) 287-4116
FAX: (787) 750-8243
EMAIL: rmoreno@morenosolterolaw.com

Fill in this information to identify your case:	
Debtor 1	<u>TOMAS M. DUEÑO ESPADA</u>
Debtor 2 (Spouse, if filing)	<u>MERCEDES E. LUGO RODRIGUEZ</u>
United States Bankruptcy Court for the:	<u>DISTRICT OF PUERTO RICO, SAN JUAN</u> <u>DIVISION</u>
Case number (If known)	<u>16-00470</u>

Check if this is:

- ☒ An amended filing
☐ A supplement showing postpetition chapter 13 expenses as of the following date:

MM / DD / YYYY

Official Form 106J

Schedule J: Your Expenses

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach another sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Your Household

1. Is this a joint case?

☐ No. Go to line 2.

☒ Yes. Does Debtor 2 live in a separate household?

☒ No

☐ Yes. Debtor 2 must file Official Form 106J-2, *Expenses for Separate Household* of Debtor 2.

2. Do you have dependents? ☒ No

Do not list Debtor 1 and Debtor 2.

☐ Yes. Fill out this information for each dependent.....

Do not state the dependents names.

Dependent's relationship to Debtor 1 or Debtor 2

Dependent's age

Does dependent live with you?

- ☐ No
☐ Yes
☐ No
☐ Yes
☐ No
☐ Yes
☐ No
☐ Yes

3. Do your expenses include expenses of people other than yourself and your dependents? ☒ No
☐ Yes

Part 2: Estimate Your Ongoing Monthly Expenses

Estimate your expenses as of your bankruptcy filing date unless you are using this form as a supplement in a Chapter 13 case to report expenses as of a date after the bankruptcy is filed. If this is a supplemental *Schedule J*, check the box at the top of the form and fill in the applicable date.

Include expenses paid for with non-cash government assistance if you know the value of such assistance and have included it on *Schedule I: Your Income* (Official Form 106I.)

Your expenses

4. The rental or home ownership expenses for your residence. Include first mortgage payments and any rent for the ground or lot.

4. \$ 806.00

If not included in line 4:

4a. Real estate taxes

4a. \$ 0.00

4b. Property, homeowner's, or renter's insurance

4b. \$ 0.00

4c. Home maintenance, repair, and upkeep expenses

4c. \$ 150.00

4d. Homeowner's association or condominium dues

4d. \$ 0.00

5. Additional mortgage payments for your residence, such as home equity loans

5. \$ 0.00

Debtor 1 **DUEÑO ESPADA, TOMAS M. & LUGO RODRIGUEZ,**
Debtor 2 **MERCEDES E.**

Case number (if known) **16-00470**

6. Utilities:		
6a. Electricity, heat, natural gas	6a. \$	<u>450.00</u>
6b. Water, sewer, garbage collection	6b. \$	<u>226.87</u>
6c. Telephone, cell phone, Internet, satellite, and cable services	6c. \$	<u>145.89</u>
6d. Other. Specify: _____	6d. \$	<u>0.00</u>
7. Food and housekeeping supplies	7. \$	<u>900.00</u>
8. Childcare and children's education costs	8. \$	<u>0.00</u>
9. Clothing, laundry, and dry cleaning	9. \$	<u>100.00</u>
10. Personal care products and services	10. \$	<u>75.00</u>
11. Medical and dental expenses	11. \$	<u>100.00</u>
12. Transportation. Include gas, maintenance, bus or train fare. Do not include car payments.	12. \$	<u>475.24</u>
13. Entertainment, clubs, recreation, newspapers, magazines, and books	13. \$	<u>100.00</u>
14. Charitable contributions and religious donations	14. \$	<u>50.00</u>
15. Insurance. Do not include insurance deducted from your pay or included in lines 4 or 20.		
15a. Life insurance	15a. \$	<u>0.00</u>
15b. Health insurance	15b. \$	<u>0.00</u>
15c. Vehicle insurance	15c. \$	<u>0.00</u>
15d. Other insurance. Specify: _____	15d. \$	<u>0.00</u>
16. Taxes. Do not include taxes deducted from your pay or included in lines 4 or 20. Specify: _____		
16. \$		<u>0.00</u>
17. Installment or lease payments:		
17a. Car payments for Vehicle 1	17a. \$	<u>0.00</u>
17b. Car payments for Vehicle 2	17b. \$	<u>0.00</u>
17c. Other. Specify: _____	17c. \$	<u>0.00</u>
17d. Other. Specify: _____	17d. \$	<u>0.00</u>
18. Your payments of alimony, maintenance, and support that you did not report as deducted from your pay on line 5, Schedule I, Your Income (Official Form 106I).		
18. \$		<u>0.00</u>
19. Other payments you make to support others who do not live with you. Specify: _____		
19. \$		<u>0.00</u>
20. Other real property expenses not included in lines 4 or 5 of this form or on Schedule I: Your Income.		
20a. Mortgages on other property	20a. \$	<u>0.00</u>
20b. Real estate taxes	20b. \$	<u>0.00</u>
20c. Property, homeowner's, or renter's insurance	20c. \$	<u>0.00</u>
20d. Maintenance, repair, and upkeep expenses	20d. \$	<u>0.00</u>
20e. Homeowner's association or condominium dues	20e. \$	<u>0.00</u>
21. Other: Specify: <u>Aniceto Golden Hills Utilities</u>	21. +\$	<u>600.00</u>
<u>Utilities Calle Tapia</u>	+\$	<u>610.00</u>
<u>Lunches At Work</u>	+\$	<u>250.00</u>
<u>CAR AND HOME MAINTENANCE</u>	+\$	<u>300.00</u>
	+\$	<u>0.00</u>
22. Calculate your monthly expenses		
22a. Add lines 4 through 21.	\$	<u>5,339.00</u>
22b. Copy line 22 (monthly expenses for Debtor 2), if any, from Official Form 106J-2	\$	
22c. Add line 22a and 22b. The result is your monthly expenses.	\$	<u>5,339.00</u>
23. Calculate your monthly net income.		
23a. Copy line 12 (your combined monthly income) from Schedule I.	23a. \$	<u>6,939.00</u>
23b. Copy your monthly expenses from line 22c above.	23b. -\$	<u>5,339.00</u>
23c. Subtract your monthly expenses from your monthly income. The result is your monthly net income.	23c. \$	<u>1,600.00</u>

24. Do you expect an increase or decrease in your expenses within the year after you file this form?
For example, do you expect to finish paying for your car loan within the year or do you expect your mortgage payment to increase or decrease because of a modification to the terms of your mortgage?

☐ No.

☒ Yes.

Explain here: **THERE IS NOT ANY INCREASE OR DECREASE IN DEBTORS EXPENSES ANTICIPATED WITHIN NEXT 12 MONTHS.**

United States Bankruptcy Court
District of Puerto Rico, San Juan Division

IN RE:

Case No. 16-00470

DUÑO ESPADA, TOMAS M. & LUGO RODRIGUEZ, MERCEDES E.

Chapter 13

Debtor(s)

BUSINESS INCOME AND EXPENSES

FINANCIAL REVIEW OF THE DEBTOR'S BUSINESS (Note: ONLY INCLUDE information directly related to the business operation.)

PART A - GROSS BUSINESS INCOME FOR THE PREVIOUS 12 MONTHS:

1. Gross Income For 12 Months Prior to Filing: \$ _____

PART B - ESTIMATED AVERAGE FUTURE GROSS MONTHLY INCOME:

2. Gross Monthly Income: \$ 9,400.00

PART C - ESTIMATED FUTURE MONTHLY EXPENSES:

3. Net Employee Payroll (Other Than Debtor)	\$ _____
4. Payroll Taxes	\$ _____
5. Unemployment Taxes	\$ _____
6. Worker's Compensation	\$ <u>3,001.00</u>
7. Other Taxes	\$ _____
8. Inventory Purchases (Including raw materials)	\$ <u>5,095.00</u>
9. Purchase of Feed/Fertilizer/Seed/Spray	\$ _____
10. Rent (Other than debtor's principal residence)	\$ _____
11. Utilities	\$ _____
12. Office Expenses and Supplies	\$ _____
13. Repairs and Maintenance	\$ _____
14. Vehicle Expenses	\$ _____
15. Travel and Entertainment	\$ <u>300.00</u>
16. Equipment Rental and Leases	\$ _____
17. Legal/Accounting/Other Professional Fees	\$ _____
18. Insurance	\$ _____
19. Employee Benefits (e.g., pension, medical, etc.)	\$ _____
20. Payments to be Made Directly by Debtor to Secured Creditors for Pre-Petition Business Debts (Specify):	\$ _____

21. Other (Specify): \$ _____

22. Total Monthly Expenses (Add items 3-21) \$ 8,396.00

PART D - ESTIMATED AVERAGE NET MONTHLY INCOME

23. **AVERAGE NET MONTHLY INCOME** (Subtract Item 22 from Item 2) \$ 1,004.00

Fill in this information to identify your case:

Debtor 1 TOMAS M. DUEÑO ESPADA
First Name Middle Name Last Name

Debtor 2 MERCEDES E. LUGO RODRIGUEZ
(Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: DISTRICT OF PUERTO RICO, SAN JUAN DIVISION

Case number 16-00470
(if known)

☒ Check if this is an amended filing

Official Form 106Dec

Declaration About an Individual Debtor's Schedules

12/15

If two married people are filing together, both are equally responsible for supplying correct information.

You must file this form whenever you file bankruptcy schedules or amended schedules. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Sign Below

Did you pay or agree to pay someone who is NOT an attorney to help you fill out bankruptcy forms?

☒ No

☐ Yes. Name of person _____

Attach Bankruptcy Petition Preparer's Notice, Declaration, and Signature (Official Form 119)

Under penalty of perjury, I declare that I have read the summary and schedules filed with this declaration and that they are true and correct.

X /s/ TOMAS M. DUEÑO ESPADA
TOMAS M. DUEÑO ESPADA
Signature of Debtor 1

Date May 14, 2016

X /s/ MERCEDES E. LUGO RODRIGUEZ
MERCEDES E. LUGO RODRIGUEZ
Signature of Debtor 2

Date May 14, 2016

ADVANCE COLLECTION SERVICES, INC.
PO BOX 364607
SAN JUAN, PR 00936-4607

ATT
ONE AT&T WAY, ROOM 3A104
BEDMINSTER, NJ 07921

BANCO POPULAR DE PR
PO BOX 70100 CARD PRODUCTS DIVISION
SAN JUAN, PR 00936

BANCO POPULAR DE PR
MORTGAGE SERVICING DEPARTMENT
PO BOX 362708
SAN JUAN, PR 00936-2708

BANCO POPULAR DE PUERTO RICO
PO BOX 366818 BANKRUPTCY DEPARTMENT
SAN JUAN, PR 00936-6818

BAUTISTA CAYMAN ASSET COMPANY
CAPITAL CROSSING PUERTO RICO LLC
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HATO REY, PR 00918

CICA COLLECTION AGENCY, INC.
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SAN JUAN, PR 00926

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RUSHMORE LOAN MANAGEMENT SERVICES
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SAN JUAN, PR 00922

TOYOTA CREDIT DE PR
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